

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001393

| A. CLASSIFICATION OF SUBJECT MATTER Int. Cl. ⁷ : A01K 97/24, 97/18 According to International Patent Classification (IPC) or to both national classification and IPC | | |
|--|--|--|
| B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI, US, EP and JP databases with keywords (eg retrieve, coil, line, shaft, bait, A01K 97/00, A01K 97/18, A01K 97/24) | | |
| C. DOCUMENTS CONSIDERED TO BE RELEVANT | | |
| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X Y | US Des 382628 (SWINDLE) 19 August 1997 Entire document | 1-24 8-13, 18-20 |
| X Y | US 3374570 A (LENZEN) 26 March 1968 Entire document | 1-24 8-13, 18-20 |
| X Y | US 2397916 A (BRAY) 9 April 1946 Entire document | 1-24 8-13, 18-20 |
| <input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex | | |
| * Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family | | |
| Date of the actual completion of the international search 24 November 2004 | | Date of mailing of the international search report 10 DEC 2004 |
| Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929 | | Authorized officer A. SEN Telephone No : (02) 6283 2158 |

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001393

| C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT | | |
|--|---|-----------------------|
| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X Y | US 6138401 A (DUNCAN) 31 October 2000 Entire document | 1-24 8-13, 18-20 |
| X Y | US 2662331 A (BORUP) 15 December 1953 Entire document | 1-24 8-13, 18-20 |
| X Y | GB 2028072 A (PERRIN et al) 5 March 1980 Entire document | 1-24 8-13, 18-20 |
| X Y | US 2316500 A (BRAY) 13 April 1943 Entire document | 1-24 8-13, 18-20 |
| Y | US 4086718 A (SWANSON et al) 2 May 1978 Entire document | 8-12 |
| Y | US 2948077 A (KARPES) 9 August 1960 Entire document | 13 |
| Y | US 2739404 A (KOESTER, Sr) 27 March 1956 Entire document | 18-20 |
| P, X, P, Y | US 6694664 B1 (KNIGHT) 24 February 2004 Entire document | 1-24 13, 18-20 |
| L, X | 'StrikeBack Tackle Store' (Retrieved 25 November 2004) from Internet URL: www.strikebacktackle.com.au (date of internet site unknown) | 1-24 |
| <p>Note: Claims 8-12 each lack an inventive step when US 4086718 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500; Claim 13 lacks an inventive step when US 2948077 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500, US 6694664; Claims 18-20 each lack an inventive step when US 2739404 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500, US 6694664. Claims 8-13, 18-20 each also lack an inventive step when compared to each of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500, US 6694664 on their own.</p> | | |

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2004/001393

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

| Patent Document Cited in Search Report | | | Patent Family Member | | | |
|---|---------|--------------|----------------------|----------------|--|--|
| US | D382628 | NIL | | | | |
| US | 3374570 | NIL | | | | |
| US | 2397916 | NIL | | | | |
| US | 6138401 | AU 200058875 | CA 2376035 | EP 1194034 | | |
| | | NZ 516836 | US 6453601 | WO 2001/000018 | | |
| US | 2662331 | NIL | | | | |
| GB | 2028072 | NIL | | | | |
| US | 2316500 | NIL | | | | |
| US | 4086718 | NIL | | | | |
| US | 2948077 | NIL | | | | |
| US | 2739404 | NIL | | | | |
| US | 6694664 | NIL | | | | |
| Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001. | | | | | | |
| END OF ANNEX | | | | | | |

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

WRAY & ASSOCIATES
Level 4 The Quadrant
1 William Street
PERTH WA 6000

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference
112608

Date of mailing
(day/month/year) 10 DEC 2004

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/AU2004/001393

International filing date (day/month/year)
13 October 2004

Priority date (day/month/year)
15 October 2003

International Patent Classification (IPC) or both national classification and IPC
Cl. 7 A01K 97/24, 97/18

Applicant

SZYMANSKI, John

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606, AUSTRALIA
E-mail address: pct@ipaaustralia.gov.au
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Authorized Officer

A. SEN
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001393

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001393

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|---------------------------|------------|
| Novelty (N) | Claims 7-14, 18-21, 23 | YES |
| | Claims 1-6, 15-17, 22, 24 | NO |
| Inventive step (IS) | Claims | YES |
| | Claims 1-24 | NO |
| Industrial applicability (IA) | Claims 1-24 | YES |
| | Claims | NO |

2. Citations and explanations:

NOVELTY (N): Claims 1-6, 15-17, 22, 24

(a) US D382628: Claims 1, 3-6, 15-17, 24

From figures, shaft is the long extension connecting coil to handle, coil with arcuate turns as in figures, more than one but less than two turns, plane of coil inclined to axis of shaft

(b) US 3374570: Claims 1, 3-6, 15-17, 24

Shaft 11; smooth arcuate curves 17, 19, 24 etc; one and half turns; fig 2, plane on which first coil 17 rests is inclined to the axis of shaft 11

(c) US 2397916: Claims 1, 3-5, 15-17, 24

Shaft 5a; smooth circular curves ; one and half turns; fig 4, plane on which first coil 7b rests is inclined to the axis of shaft 5a

(e) US 6138401: Claims 1, 3-5, 15-17, 24

Shaft 16; smooth circular curves ; one and quarter turns; fig 2, plane on which first coil 18 rests is inclined to the axis of shaft 16

(f) US 2662331: Claims 1, 3-5, 15-17, 24

Shaft 4; smooth circular curves ; one and quarter/half turns; fig 1, plane on which first coil 10 rests is inclined to the axis of shaft 4

(g) GB 2028072: Claims 1, 3-5, 15-17, 24

Shaft 2; smooth circular curves ; more than one turn; plane on which first coil rests is inclined to the axis of shaft 2 as per page 1, lines 48/49; portion of coil extending outwards 3a as in figures

(h) US 2316500: Claims 1, 3-5, 15-17, 24

Shaft 5; smooth circular curves ; one and quarter turns; fig 2, plane on which first coil 7' rests is inclined to the axis of shaft 5; portion of coil extending outwards 8' as in figure 2

Hence each document discloses all essential features of each claim listed alongside.

Continued in Supplemental Box

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.

PCT/AU2004/001393

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

INVENTIVE STEP (IS): Claims 1-24

Claims 1-6, 15-17, 22, 24: as above

- (i) US 4086718: telescopic shaft 10
- (j) US 2948077: retention member 26
- (k) US 2739404: stand-off coil 10

Claims 8-12 each lack an inventive step when US 4086718 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500; Claim 13 lacks an inventive step when US 2948077 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500, US 6694664; Claims 18-20 each lack an inventive step when US 2739404 is combined with any one of US Des 382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500, US 6694664; such combination being obvious to the person skilled in the art (PSA).

In addition, Claims 8-13, 18-20 each also lack an inventive step when compared to each of US D382628, US 3374570, US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500 on their own; Claims 2, 6, 7, 14, 21-23 each also lack an inventive step when compared to each of US 2397916, US 6138401, US 2662331, GB 2028072, US 2316500 on their own; Claims 2, 7, 14, 21-23 each also lack an inventive step when compared to each of US D382628, US 3374570 on their own. The invention defined in each claim relates to a parameters or structures that are merely matters of design choice when the general technical knowledge about the state of the art is used and hence they cannot contribute to patentable invention.

US 6694664 is a 'P' document and is discussed in Box VI

The internet site 'www.strikebacktackle.com.au' appears to disclose retrievers identical to the invention claimed. However, since the 'OPI' date of the site is unknown, nothing can be definitely said about lack of novelty and inventive step. The site has been cited as general information only from related art.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001393

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

| <u>Application No. Patent No.</u> | <u>Publication date (day/month/year)</u> | <u>Filing date (day/month/year)</u> | <u>Priority date (valid claim) (day/month/year)</u> |
|---------------------------------------|--|---|---|
| US 6694664 | 24 February 2004 | 3 January 2003 | 3 January 2003 |

Claims 1-6, 8-12, 15-17, 22, 24 lack novelty; Claims 7, 14, 21, 23 lack an inventive step; Claim 13 lacks an inventive step when combined with US 2948077; Claims 18-20 lack an inventive step when combined with US 2739404

2. Non-written disclosures (Rules 43bis.1 and 70.9)

| <u>Kind of non-written disclosure</u> | <u>Date of non-written disclosure (day/month/year)</u> | <u>Date of written disclosure referring to non-written disclosure (day/month/year)</u> |
|---------------------------------------|--|--|
|---------------------------------------|--|--|

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001393

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. Claim 1 lacks clarity in that I am unsure as to the meaning of:

- (a) 'plane of the engagement member is inclined to the central axis of the shaft'. Firstly, where does the engagement member start from, especially when there is a smooth transition from the shaft to the coils? Secondly, as there is more than one turn and each turn has a plane of its own, which plane do I consider? For the purpose of this report I have taken the plane to be the one that the first turn sits on and the first turn to commence from the point that it starts to bend away from the shaft axis.
- (b) 'extends outwardly from the end of the shaft'. *Anything* at the end of a shaft must extend outwardly from it; why then have you defined this specifically in your claim?

I have a similar objection to Claim 2.

2. Claim 2 also lacks clarity in that there appears to be an extraneous ';' after 'coil' in line 20.

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

| | | | |
|--|--|--|-----------------------|
| Applicant's or agent's file reference 112608:EJH:ts | FOR FURTHER ACTION | | See Form PCT/IPEA/416 |
| International application No. PCT/AU2004/001393 | International filing date (<i>day/month/year</i>) 13 October 2004 | Priority date (<i>day/month/year</i>) 15 October 2003 | |
| International Patent Classification (IPC) or national classification and IPC <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> Int. Cl. <i>A01K 97/24 (2006.01)</i> </div> <div style="text-align: center;"> <i>A01K 97/18 (2006.01)</i> </div> <div style="text-align: right; font-weight: bold; padding-top: 20px;"> COPY FOR YOUR INFORMATION </div> </div> | | | |
| Applicant SZYMANSKI, John | | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 6 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

| | |
|---|--|
| Date of submission of the demand 28 June 2005 | Date of completion of this report 03 February 2006 |
| Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929 | Authorized Officer A. SEN Telephone No. (02) 6283 2158 |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2004/001393

Box No. I Basis of the report

1. With regard to the language, this report is based on:
 - ☒ The international application in the language in which it was filed
 - ☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1 (b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description: pages 1, 2, 4, 6-12, as originally filed/furnished
 pages 5, received by this Authority on 28 June 2005 with the letter of 28 June 2005
 pages 3, received by this Authority on 11 November 2005 with the letter of 11 November 2005
 - ☒ the claims: pages , as originally filed/furnished
 pages , as amended (together with any statement) under Article 19,
 pages 13-17, received by this Authority on 1 February 2006 with the letter of 1 February 2006
 page , received by this Authority on with the letter
 - ☒ the drawings: pages 1/12-12/12, as originally filed/furnished
 pages , received by this Authority on with the letter of
 pages , received by this Authority on with the letter of
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☒ the claim, No. 3
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/001393

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|--------------------------------|-----|
| Novelty (N) | Claims 7-14, 18-24 | YES |
| | Claims 1, 2, 4-6, 15-17, 25-27 | NO |
| Inventive step (IS) | Claims | YES |
| | Claims 1-27 | NO |
| Industrial applicability (IA) | Claims 1-27 | YES |
| | Claims | NO |

2. Citations and explanations (Rule 70.7)

Note: Claim 3 has been cancelled by your amendments

Some general comments:

(a) In the claims, 'beyond' (the end of the shaft) means 'further away' by the dictionary and each citation discloses the coil as being further away from the shaft in exactly the same way as defined and *also* in the same way as shown in your drawings.

(b) All the citations disclose 'retrieval aids' since fish-hooks are retrieval aids. The purpose of a fish-hook is to retrieve a line by disengaging the hook from the mouth of a fish. It appears to me that *where* the hook is disengaged from, a mouth or a snag, near to or remote from the operator, is immaterial as long as it results in overall disengagement and retrieval of the line. Please also note that all the citations except one have the title of 'fishing line *retriever*'.

(c) My objections have been based on the *turns* of a *single* coil. Your claims define that there must be *a* substantially circular coil that engages the line, ie there must be *at least one* such coil; nowhere does it preclude the presence of *another* circular coil, line-engaging or otherwise.

NOVELTY (N): Claims 1, 2, 4-6, 15-17, 25-27

(a) US D382628: Claims 1,4-6, 15-17, 25-27

From figures, shaft is the long extension connecting coil to handle, single circular coil has more than one but less than two turns, each turn of same diameter. In determining the inclination of the coil, we can either take the plane on which the coil rests as inclined to the 'coaxial' axis which extends from the end of the shaft *or* take the axis of the coil as being inclined to the coaxial axis – either way, this document discloses this feature. If we take the 'plane' approach, we see from say figure 6 that the plane slopes towards the left of the page while the coaxial axis points straight upwards to the top of the page, thus making an acute angle between them. The axis of the coil will be perpendicular to the plane and it will be seen in a similar fashion that this axis also makes an acute angle with the coaxial axis. It is my contention that the shaft stops where the 'bent' portion starts in figure 6, the 'bent' portion onwards, including the turns, being the coil as a whole. This interpretation is in line with your own figures 8, 9, 14, 15, 18, 19 where the coil as a whole can be inclined to the shaft only if we take the 'bent' portion as being part of the coil and not the shaft. A handle for manipulation by a user is also apparent in the drawings.

Continued in Supplemental Box I

Supplemental Box I

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

(b) US 2397916: Claims 1, 4, 5, 15-17,

Shaft 5a; single circular coil 7b/8b/9b at 'one' end has more than one but less than two turns 7b/8b. In a similar manner as discussed above, taking either the 'plane' or 'axis' method, we see from fig 2 that both plane and axis of coil (7b/8b/9b) are acutely inclined to the axis of shaft 5a. Please note that you define the line engagement member as being a single coil - 7b/8b/9b is the only single coil that engages the line L on the lower side, the other coil 6b does not engage the line L but is merely connected when necessary to the retriever supporting line L'. Hence the line engagement member 7b/8b/9b is a single coil; it is immaterial whether the retriever as a whole has other engaging/non engaging coils in addition. Of course, there is another line engagement member single circular coil 7a/8a/9a on the 'other' upper side but, as already pointed out, your claim does not preclude this additional possibility. Coil 7a/8a/9a also has all the features defined in your claims in the same way as coil 7b/8b/9b. The 'other' end is 'adapted to in use to be supported by the user for manipulation by the user' via line L.

(c) US 2316500: Claims 1, 2, 4, 5, 15-17,

Shaft 5; single circular coil 7'/8'/9' at 'one' end is the line engagement member that engages line 10 and has more than one but less than two turns 7'/8'. In a similar manner as discussed above, taking either the 'plane' or 'axis' method, we see from fig 2, both plane and axis of coil 7'/8'/9' are acutely inclined to the axis of shaft 5, the acute angle being formed between 7' and that portion of the axis that 'sticks out' from the shaft at the bottom in figure 2; portion of turn 8' extends outwardly from the perimeter of underlying turn 7' as in figure 2. The coil 6' is not a line engagement member, being connected when necessary only to a retriever supporting line 11. Similar to citation (b) above, there is another line engaging coil 7/8/9 at the 'other' end that also has all the features defined in your claims but of course this additional possibility is not precluded from your claims. The 'other' end is 'adapted to in use to be supported by the user for manipulation by the user' via line 11.

Please note that, as the angle between two axes, or between a plane and an axis, can be measured in both 'clockwise' and 'anti-clockwise' directions, an 'acute' angle in one direction would be 'obtuse' in another direction. Hence the angle in each citation above would be 'acute' in some one direction. Even your figure 1, for example, shows an 'obtuse' angle between the two axes when the axis of the shaft is extended to the right side of the drawing and the angle then measured anti-clockwise from this extended axis to the axis of the coil. Of course, an axis can be extended in either direction for design measurement purposes since an axis is an imaginary line and does not 'stop' at any particular point.

Hence each document discloses all essential features of each claim listed alongside.

INVENTIVE STEP (IS): Claims 1-27

Claims 1, 2, 4-6, 15-17, 25-27: as above

(d) US 4086718: telescopic shaft 10

(e) US 2948077: retention member 26

(f) US 2739404: stand-off coil 10

Claims 8-12 each lack an inventive step when US 4086718 is combined with any one of citations (a)-(c); Claim 13 lacks an inventive step when US 2948077 is combined with any one of citations (a)-(c); Claims 18-20 each lack an inventive step when US 2739404 is combined with any one of citations (a)-(c); such combination being obvious to the person skilled in the art (PSA).

Continued in Supplemental Box II

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/001393

Supplemental Box II

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Supplemental Box I

In addition, Claims 8-13, 18-20, 24 each also lack an inventive step when compared to each of citations (a)-(c) on their own; Claims 2, 6, 7, 14, 21-23 each also lack an inventive step when compared to either (b) or (c) on its own; Claims 2, 7, 14, 21-23 each also lack an inventive step when compared to citation (a) on its own. The invention defined in each claim relates to parameters or structures that are merely matters of design choice when the general technical knowledge about the state of the art is used and hence they cannot contribute to patentable invention.